

**MEMO ENDORSED**

A PROFESSIONAL CORPORATION

16TH FLOOR 45 BROADWAY NEW YORK, NY 10006-3792 212.509.9400 800.437.7040 212.509.9492 FAX www.cozen.com

August 22, 2008

VIA ECF

The Honorable Cathy Seibel
United States District Court Judge
Southern District of New York
United States Courthouse
300 Quarropas Street
White Plains, New York 10601

John B. Galligan
Direct Phone 212.908.1276
Direct Fax 866.263.1335
Jgalligan@cozen.com

Yours respectfully submitted
a/k/a to re-open within
Thirty (30) days of the filing of the
terms of the Settlement Agreement.
Sincerely,
Cathy Seibel 8/27/08
USDS

Re: Encompass Insurance Co. a/s/o Juan Polanco and Martina Fernandez v. DeLima
Contractors, Inc., et. al.
Index No.: 07 CV 3857
Our File No.: 167575

Dear Judge Seibel:

As Your Honor is aware, Cozen O'Connor represents Encompass Insurance Company, the plaintiff in the above-captioned action. I am writing to inform the Court that the above-referenced matter has settled.

Once the settlement proceeds have been received, the parties will file a Stipulation of Dismissal.

The Honorable Cathy Seibel
United States District Court Judge
Southern District of New York
August 22, 2008
Page 2

On behalf of my client and defense counsel, I would like to thank Your Honor for your time and attention to this matter.

Respectfully submitted,

COZEN O'CONNOR


By: John B. Galligan

JBG/kw

cc: Stephen C. Cunningham, Esq. (VIA ECF)
Lustig & Brown, LLP

Mario DeMarco, Esq. (VIA ECF)

John J. Phelan, Esq. (VIA ECF)
Law Offices of John Phelan